

No. 25-1787

---

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

JOHN DOE,  
through his parents and next friends JIM DOE and JANE DOE  
*Plaintiff-Appellant,*

v.

STATE OF SOUTH CAROLINA, *et al.*,  
*Defendant-Appellees.*

---

On Appeal from the United States District Court  
for the District of South Carolina  
Case No. 2:24-cv-06510  
The Honorable Richard M. Gergel

---

---

**MOTION OF PLAINTIFF-APPELLANT JOHN DOE  
FOR EXTENSION OF THE BRIEFING SCHEDULE**

---

Linda M. Correia  
Andrew M. Adelman  
CORREIA & PUTH PLLC  
1400 16<sup>th</sup> Street NW #450  
Washington, DC 20036  
(202) 602-6500  
lcorreia@correiaputh.com

Alexandra Z. Brodsky  
Sean Ouellette  
Adele P. Kimmel  
Patrick Archer  
PUBLIC JUSTICE  
1620 L Street NW, Suite 630  
Washington, DC 20036  
(202) 797-8600  
abrodsky@publicjustice.net

Counsel for Plaintiff-Appellant  
*Additional Counsel on Next Page*

Leila Nasrolahi  
PUBLIC JUSTICE  
475 14th Street, Suite 610  
Oakland, CA 94612  
(510) 622-8150  
lnasrolahi@publicjustice.net

Joseph J. Wardenski  
WARDENSKI P.C.  
134 West 29<sup>th</sup> Street, Suite 709  
New York, NY 10001  
(347) 913-3311  
joe@wardenskilaw.com

Harper T. Segui  
MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC  
825 Lowcountry Boulevard  
Mount Pleasant, SC 29464  
(919) 600-5000  
hsegui@milberg.com

Plaintiff-Appellant John Doe requests a one-week extension of time to file his opening brief and the appendix, currently due in two days, and a commensurate extension of the deadline for Defendant-Appellees to file their response brief. Defendant-Appellees do not oppose this request.

John's opening brief and the appendix are currently due on August 20, 2025. The government's response is due on September 19, 2025. The proposed extension would set the deadlines as follows:

**Joint Appendix:** August 27, 2025

**Opening Brief:** August 27, 2025

**Response Brief:** September 26, 2025

**Reply Brief:** Within 21 days of service of response brief.

The extension would allow John time to revise his opening brief to address the implications of this court's August 15, 2025 opinion granting John's motion for an injunction pending appeal and denying the government's motion to dismiss for lack of jurisdiction. *See* ECF No. 43. The court's opinion addresses issues central to this appeal, including John's likelihood of success on the merits of his claims, irreparable harm, and the balance of equities. *See id.* at 16-18. It also addresses John's standing and the court's jurisdiction over this appeal. *See id.* at 7-15.

John requires more time to incorporate discussion of the court's analysis and finalize his opening brief due to conflicting travel and commitments of appellate counsel. John's lead appellate counsel is traveling internationally until August 22, and the attorney leading the appeal in her stead must prepare a response to an emergency motion for a stay pending appeal in *Victim Rights Law Center v. United States Department of Education*, No. 25-1787 (1st Cir.), by August 25, 2025, at 5pm.

Although John previously filed a motion to expedite this appeal, the court's decision to grant his motion for an injunction pending appeal takes away, for John, much of the urgency that motivated his request for an accelerated schedule. *See* ECF No. 43 at 20. And a one-week extension will not prejudice the government, which does not oppose this request.

Accordingly, John respectfully requests that the court extend the briefing schedule by one week.

August 18, 2025

Respectfully submitted,

/s/ Sean Ouellette

Sean Ouellette  
Alexandra Z. Brodsky  
Adele P. Kimmel  
Patrick Archer  
PUBLIC JUSTICE  
1620 L Street NW  
Suite 630  
Washington, DC 20036  
(202) 797-8600  
abrodsky@publicjustice.net  
souellette@publicjustice.net  
akimmel@publicjustice.net  
parcher@publicjustice.net

Leila Nasrolahi  
PUBLIC JUSTICE  
475 14th Street, Suite 610  
Oakland, CA 94612  
Phone: (510) 622-8150  
lnasrolahi@publicjustice.net

Linda M. Correia  
Andrew M. Adelman  
Correia & Puth PLLC  
1400 16<sup>th</sup> Street NW #450  
Washington, DC 20036  
(202) 602-6500  
lcorreia@correiaputh.com  
aadelman@correiaputh.com

Joseph J. Wardenski  
WARDENSKI P.C.  
134 West 29<sup>th</sup> Street, Suite 709  
New York, NY 10001

(347) 913-3311  
joe@wardenskilaw.com

Harper T. Segui  
MILBERG COLEMAN BRYSON PHILLIPS  
GROSSMAN, PLLC  
825 Lowcountry Boulevard  
Mount Pleasant, SC 29464  
(919) 600-5000  
hsegui@milberg.com

**CERTIFICATE OF COMPLIANCE**

This motion complies with the type-volume limitation of Federal Rule of Appellate Procedure 27(d)(2)(a) because it contains 342 words. This motion complies with the typeface and typeset requirements of Federal Rule of Appellate Procedure 27(d)(1)(E) because this brief has been prepared in a proportionally spaced typeface using Microsoft Office 365 in 14-point Century Schoolbook font.

Dated: August 18, 2025

/s/ Sean Ouellette

Sean Ouellette

*Counsel for Plaintiff-Appellant*